

Docket No.: ATOTP0104US**Serial No. 10/606,460****Remarks**

Claims 28-45 and 50-72 are pending in the application. The claims now have been subjected to a further election of species requirement. After having been required to elect a species a first time, the Examiner has now entered a second election of species requirement, on the contended basis that Applicants' submission of new claims somehow justifies the second election requirement. Applicants respectfully disagree that the newly submitted claims in any way warranted a further election of species requirement, since the generic claims were already in the application, and the newly submitted claims did not in any way change the breadth of claimed inhibitors. Applicants respectfully submit that, contrary to the Examiner's contention in the Office action, Applicants' previous Reply was not non-responsive. Rather, Applicants submit that the Examiner failed to make clear what election was required, or alternatively has decided that further election is required. In either case, Applicants' previous Reply was not non-responsive.

Election

The Examiner now contends that the application contains claims directed to multiple patentably distinct species of inhibitors, requiring that Applicant elect one single disclosed species under 35 U.S.C. §121 from, e.g., the compounds listed in the paragraph bridging pp. 8-9 of the specification for initial examination on the merits, to which the claims shall be restricted if no generic claim is finally held to be allowable. Applicants respectfully traverse the election requirement on the ground that it is not unreasonably burdensome for the Examiner to search the previously elected species of "mercapto-substituted nitrogen containing heterocyclic compounds".

Applicants hereby elect the species of "2-mercapto-1-methyl imidazole". The claims which are readable on this species include claims 28-31, 36-42, 50-52, 54, 55-67 and 71-72. Claims 28, 36 and 40 are generic.

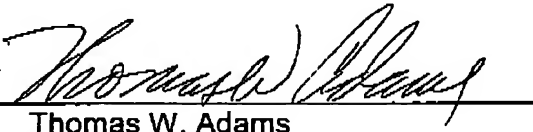
Docket No.: ATOTP0104US**Serial No. 10/606,460****Conclusion**

It is respectfully submitted that all of the claims presently in the application are allowable, and that any claims withdrawn from consideration due to previous or the present election of species should be reinstated into the case and allowed.

In the event issues arise as a result of the filing of this paper, or remain in the prosecution of this application, Applicants request that the Examiner telephone the undersigned attorney to expedite allowance of the application. Should a Petition for Extension of Time be necessary for the present Reply to the outstanding Office action to be timely filed (or if such a petition has been made and an additional extension is necessary) petition therefor is hereby made and, if any additional fees are required for the filing of this paper, the Commissioner is authorized to charge those fees to Deposit Account #18-0988, Docket No. ATOTP0104US.

Respectfully submitted,

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